IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 20197 of 2004

Between:

Mohammad Shoukath Ali, S/o. Hyder Ali, Muslim,
R/o. H.No. 2-1-156/A, Kapuwada, Metpally,
Karimnagar District.

..... PETITIONER

AND

1 The Deputy Superintendent of Police, Jagtial, Karimnagar District.
2 The Sub-Inspector of Police, Jagtial, Karimnagar District.
3 Mohammad Azamath Ali, S/o. Hycer Ali, Muslim,
R/o. H.No. 2-1-158A, Kapuwada Barkatpura, Metpally,
Karimnagar District.
4 Shabana Arifs, W/o. Azmath Ali, Muslim,
r/o H.No. 2-1-156A, Kapuwada, Barkatpura, Metpally,
Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction, one in the nature of Writ of Mandamus, declaring the action of the respondents 1 and 2 herein to interfere with the Civil Dispute between the petitioner and 3rd, 4th respondents herein pending before the Civil court of O.S.No. 77 of 2004 on the file of the Court of the Junior Civil Judge, Metpally as illegal, arbitrary and unjust and violative of Art. 21 and 300-A of the Constitution of India and consequently direct the respondents 1 and 2 herein not to interfere with the petitioner's civil disputes pending C.S. 77/2004 on the file of the court of Junior Civil Judge, Metpally and also not to harass the petitioner and his family members.

Counsel for the Petitioner:MR.C.RAMESH SAGAR

Counsel for the Respondent Nos.1 and 2 :GP FOR HOME

Counsel for the Respondent Nos. 3 and 4:P.Venkat Reddy

The Court made the following :

ORDER:

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The allegation in this writ petition is that the 2nd respondent-The Sub-Inspector of Police, Jagityal, Karimnagar District, at the instance of respondents 3 and 4 herein, the brother and sister-in-law of the petitioner, threatened the petitioner to settle the civil disputes instituted by him in O.S.No.77 of 2004 on the file of the Court of the Junior Civil Judge, Metpally.

A counter affidavit has now been filed by the Sub-Divisional Police Officer, Jagityal, wherein the allegations made in the affidavit filed in support of the writ petition are denied. It is stated that the petitioner was never called to the police station on 14.10.2004 nor detained in any other police station. The allegation that the Sub-Inspector of Police threatened the petitioner and asked him to withdraw the suit is also denied. Reference is made to Cr.No.181 of 2004 registered against the petitioner on a complaint given by his father and it is stated that the same was compromised between the parties subsequently.

In view of the fact that the Sub-Divisional Police Officer in his counter affidavit denies about calling the petitioner to the police station on 14.10.2004, the writ petition is dismissed. It is needless to state that in civil disputes it is not for the police officials to direct the parties to compromise the matter. There shall be no order as to costs.

22.06.2005

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To

1 The Deputy Superintendent of Police, Jaggial, Karimnagar District.

2 The Sub-Inspector of Police, Jagtial, Karimnagar District.
3 Two C.Cs to the G.P., for Home, High Court Buildings, Hyderabad (OUT).

4 2 CD copies.